



# *The Journal* OF THE *House of Representatives*

Number 16

Friday, February 10, 2012

## Messages from the Senate

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has concurred in House Amendment 1 and passed CS for SB 1174, as further amended.

*Debbie Brown, Secretary*

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has concurred in House Amendment 1 and passed CS for SJR 1176, as amended.

*Debbie Brown, Secretary*

## First Reading of Committee and Subcommittee Substitutes by Publication

By the State Affairs Committee; Rulemaking & Regulation Subcommittee; and Agriculture & Natural Resources Subcommittee; Representatives **Porter, Pilon, Van Zant, and T. Williams**—

**CS/CS/CS/HB 157**—A bill to be entitled An act relating to water management districts; amending s. 373.042, F.S.; requiring water management districts to include certain reservations and water bodies in priority lists and schedules; providing for the adoption of certain reservations and minimum flows and levels by the Department of Environmental Protection; requiring water management districts to apply, without adopting by rule, reservations, minimum flows and levels, and recovery and prevention strategies adopted by the department; amending s. 373.046, F.S.; authorizing water management districts to enter into interagency agreements for resource management activities under specified conditions; providing applicability; amending s. 373.605, F.S.; authorizing water management districts to provide group insurance for employees of other water management districts; removing obsolete provisions; amending s. 373.709, F.S., relating to regional water supply planning; removing a reference to the Southwest Florida Water Management District; requiring a regional water supply authority and the applicable water management district to jointly develop the water supply component of the regional water supply plan; amending s. 373.171, F.S.; exempting cooperative funding programs from certain rulemaking requirements; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Judiciary Committee; and Agriculture & Natural Resources Subcommittee; Representatives **Bembry, Steube, Albritton, Baxley, Brandes, Caldwell, Campbell, Gaetz, Harrison, Smith, Tobia, and Van Zant**—

**CS/CS/HB 313**—A bill to be entitled An act relating to premises liability; amending s. 375.251, F.S.; providing that an owner or lessee who makes an area available to another person for hunting, fishing, or wildlife viewing is entitled to certain limitations on liability if certain notice is provided; providing that an owner of an area who enters into a written agreement with the state for the area to be used for outdoor recreational purposes is entitled to certain limitations on liability; deleting a requirement that the area be leased to the state in order for the limitations on liability to apply; providing intent and construction for such agreements; providing applicability; defining the term "area"; making technical and grammatical changes; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health & Human Services Committee; Representatives **Hudson, Ahern, Albritton, Baxley, Boyd, Brandes, Burgin, Caldwell, Campbell, Gonzalez, Horner, Ingram, Julien, Logan, Mayfield, Oliva, Perry, Pilon, Ray, Rooney, Trujillo, and Wood**—

**CS/HB 511**—A bill to be entitled An act relating to workers' compensation; amending s. 440.13, F.S.; authorizing an authorized physician who is also a dispensing physician to dispense and fill prescriptions; prohibiting the Department of Financial Services, an employer, or a carrier from selecting the pharmacy, pharmacist, or dispensing practitioner a claimant must use in certain circumstances; revising requirements for determining the amount of a reimbursement for repackaged or relabeled prescription medication; providing limitations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Economic Affairs Committee; and Insurance & Banking Subcommittee; Representative **Moraitis**—

**CS/CS/HB 643**—A bill to be entitled An act relating to title insurance; amending s. 626.2815, F.S.; specifying continuing education requirements for title insurance agents; amending s. 626.8437, F.S.; specifying additional grounds to deny, suspend, revoke, or refuse to renew or continue the license or appointment of a title insurance agent or agency; amending s. 626.8473, F.S.; requiring an attorney serving as a title or real estate settlement agent to deposit and maintain certain funds in a separate trust account and permit the account to be audited by the applicable title insurer, unless prohibited by the rules of The Florida Bar; amending s. 627.777, F.S.; providing procedures and requirements relating to the approval or disapproval of title insurance forms by

the Office of Insurance Regulation; amending s. 627.782, F.S.; requiring title insurance agencies and certain insurers to submit specified information to the office to assist in the analysis of title insurance premium rates, title search costs, and the condition of the title insurance industry; requiring the Financial Services Commission to adopt rules; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Economic Affairs Committee; Representatives **Wood, Brandes, Caldwell, and Pilon**—

**CS/HJR 785**—A joint resolution proposing an amendment to Section 1 of Article VIII of the State Constitution to authorize the imposition of term limits on county commissioners when provided by county charter.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Education Committee; Representatives **Gaetz, Adkins, Artiles, Bernard, Ingram, Patronis, Plakon, Sands, Taylor, Thurston, Tobia, and A. Williams**—

**CS/HJR 931**—A joint resolution proposing an amendment to Section 7 of Article IX of the State Constitution to require the Governor to appoint a state university student body president to the Board of Governors of the State University System.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Economic Affairs Committee; and State Affairs Committee; Representatives **Workman and T. Williams**—

**CS/CS/HB 937**—A bill to be entitled An act relating to legal notices; creating s. 50.0211, F.S.; requiring that, after a specified date, if a legal notice is published in a newspaper, the newspaper publishing the notice shall also place the notice on a website maintained by the newspaper, at no additional charge; providing requirements for size and placement of such website publication; requiring free access to such online publications; requiring that legal notices published in newspapers also be published on another specified website; requiring that, after a specified date, newspapers that publish legal notice must provide e-mail notification of new legal notices; providing requirements for such notice; providing that an error on a newspaper or statewide website shall be considered a harmless error and legal notice requirements shall be considered met if the notice published in the newspaper is correct; amending s. 50.041, F.S.; revising physical requirements for proof of publication affidavits; authorizing electronic affidavits that meet specified requirements; amending s. 50.061, F.S.; limiting the rate that may be charged for government notices required to be published more than once in certain circumstances; deleting provisions specifying rates for legal notices based on county population; specifying that if a public notice is published in a newspaper, publication of a notice on a website pursuant to specified provisions must be done at no charge; amending ss. 125.66, 166.041, 190.005, and 200.065, F.S.; requiring that website publication of certain legal notices include maps that appear in the newspaper advertisements; amending s. 17.325, F.S.; making it optional for the Chief Financial Officer to advertise the availability of the governmental efficiency hotline; amending s. 215.68, F.S.; deleting specific criteria for publishing certain bond notices; amending ss. 120.60, 215.555, 253.52, 255.518, and 380.0668, F.S.; deleting requirements that certain legal notices be published in Leon County; amending s. 455.275, F.S.; deleting a requirement that certain notices concerning professional licensees who cannot be personally served be published in Leon County; requiring that plain notice to the licensee to be posted on the front page of the Department of Business and Professional Regulation's website and provided to certain news outlets; amending s. 473.3141, F.S.; deleting a requirement that notices concerning discipline of certain certified public accountants be published in Leon County; amending s. 527.23, F.S.; deleting requirements relating to the newspaper publication of

certain notices relating to marketing orders for propane gas; providing for Internet publication of such orders and for providing information to certain news outlets; amending ss. 573.109 and 573.111, F.S.; deleting requirements relating to the newspaper publication of certain notices relating to agricultural marketing orders; providing for Internet publication of such orders and for providing information to certain news outlets; amending s. 631.59, F.S.; deleting requirements for the newspaper publication of certain notices concerning insolvent insurers; providing for notice by e-mail or telephone; providing applicability; providing effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the State Affairs Committee; Representatives **Horner and T. Williams**—

**CS/HB 1197**—A bill to be entitled An act relating to agriculture; amending s. 479.11, F.S.; conforming provisions; amending s. 586.02, F.S.; defining the term "apiculture" for purposes of the Florida Honey Certification and Honeybee Law; conforming provisions; creating s. 586.055, F.S.; authorizing apiaries to be located on certain lands; amending s. 586.10, F.S.; providing for preemption to the state of authority to regulate, inspect, and permit managed honeybee colonies; providing that certain local government ordinances are superseded; revising the powers and duties of the Department of Agriculture and Consumer Services relating to honey certification and honeybees; requiring the department to adopt rules and, before adopting certain rules, consult with local governments and other affected stakeholders; amending s. 604.50, F.S.; defining the term "farm sign"; providing an exemption from the Florida Building Code for farm signs; prohibiting farm signs located on public roads from violating certain standards; limiting the authority of local governments to enforce certain requirements with respect to farm signs; amending s. 823.14, F.S.; revising definitions relating to the Florida Right to Farm Act; limiting the conditions under which apiculture or the placement of apiaries may be deemed public or private nuisances; limiting the authority of local governments to regulate apiculture and the placement of apiaries on agricultural land; reenacting ss. 163.3162(2)(b), 163.3163(3)(b), 193.461(5), 403.9337(4), 570.961(4), and 812.015(1)(g), F.S., relating to agricultural lands and practices, the Agricultural Land Acknowledgement Act, the classification and tax assessment of agricultural lands, an exemption from certain provisions related to the Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes, provisions related to the promotion of agritourism, and penalties for retail or farm theft, respectively, to incorporate amendments made by the act to s. 823.14, F.S., in references thereto; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Finance & Tax Committee; and PreK-12 Appropriations Subcommittee; Representative **Fresen**—

**CS/CS/HB 1343**—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; expanding the purposes for which revenues from the school capital outlay surtax may be used; making the use of surtax revenues for specified additional purposes contingent upon certain school board actions relating to the reduction of certain property taxes during the time surtax is in effect; requiring approval of the electors in order to use the surtax revenues for the additional purposes authorized by the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

## Reference

**CS/CS/HB 3**—Referred to the Calendar of the House.

**CS/HB 357**—Referred to the Economic Affairs Committee.

**CS/HB 469**—Referred to the Calendar of the House.

**CS/CS/HB 509**—Referred to the Calendar of the House.

**CS/HB 593**—Referred to the Economic Affairs Committee.

**CS/HB 619**—Referred to the Economic Affairs Committee.

**CS/CS/HB 729**—Referred to the Calendar of the House.

**CS/CS/HB 801**—Referred to the State Affairs Committee.

**CS/HB 891**—Referred to the Economic Affairs Committee.

**CS/CS/HB 1001**—Referred to the Economic Affairs Committee.

**CS/HB 1033**—Referred to the Finance & Tax Committee and Economic Affairs Committee.

**CS/CS/HB 1175**—Referred to the Calendar of the House.

**CS/HB 1495**—Referred to the Finance & Tax Committee and Economic Affairs Committee.

### Cosponsors

CS/HB 357—Gonzalez

## Reports of Standing Committees and Subcommittees

### Received February 9:

The Health & Human Services Committee reported the following favorably:

HB 511 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 511 was laid on the table.

The Finance & Tax Committee reported the following favorably:  
CS/HB 1343 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/HB 1343 was laid on the table.

### Received February 10:

The State Affairs Committee reported the following favorably:  
CS/CS/HB 157 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/CS/HB 157 was laid on the table.

The Judiciary Committee reported the following favorably:  
CS/HB 313 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/HB 313 was laid on the table.

The Economic Affairs Committee reported the following favorably:  
CS/HB 643 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/HB 643 was laid on the table.

The Economic Affairs Committee reported the following favorably:  
HJR 785 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HJR 785 was laid on the table.

The Education Committee reported the following favorably:  
HJR 931 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HJR 931 was laid on the table.

The Economic Affairs Committee reported the following favorably:  
CS/HB 937 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/HB 937 was laid on the table.

The State Affairs Committee reported the following favorably:  
HB 1197 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 1197 was laid on the table.

### Votes After Roll Call

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Sands:

Yeas—February 3: 664, 665, 666, 667, 668, 673, 674, 675, 676, 678, 681, 682, 685, 686, 687, 688, 689, 690; February 9: 706, 708, 709, 713

Nays—February 3: 670, 672, 679, 680, 683, 684; February 9: 707

# JOURNAL OF THE HOUSE OF REPRESENTATIVES

## DAILY INDICES FOR

February 10, 2012

### NUMERIC INDEX

CS/CS/HB 3 .....	576	HJR 785 .....	577
CS/CS/CS/HB 157 .....	575	CS/CS/HB 801.....	577
CS/CS/HB 157 .....	577	CS/HB 891.....	577
CS/CS/HB 313 .....	575	CS/HJR 931.....	576
CS/HB 313 .....	577	HJR 931 .....	577
CS/HB 357 .....	576-577	CS/CS/HB 937.....	576
CS/HB 469 .....	577	CS/HB 937.....	577
CS/CS/HB 509 .....	577	CS/CS/HB 1001 .....	577
CS/HB 511 .....	575	CS/HB 1033.....	577
HB 511 .....	577	CS/CS/HB 1175.....	577
CS/HB 593 .....	577	CS/HB 1197.....	576
CS/HB 619 .....	577	HB 1197.....	577
CS/CS/HB 643 .....	575	CS/CS/HB 1343 .....	576
CS/HB 643 .....	577	CS/HB 1343.....	577
CS/CS/HB 729 .....	577	CS/HB 1495.....	577
CS/HJR 785 .....	576		

### SUBJECT INDEX

Cosponsors.....	577	Reference.....	576
First Reading of Committee and Subcommittee Substitutes by Publication .....	575	Reports of Standing Committees and Subcommittees.....	577
Messages from the Senate.....	575		